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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,767	01/25/2001	Avishai Keren	14531.107.1.3	7766

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EXAMINER
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CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/770,767

Applicant(s)

KEREN ET AL.

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 94-111 and 128-133 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 94-111 and 128-133 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/31; 4/26 2005</u>   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 94-111 and 128-133 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 94 and 128 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner is unclear of what is meant by display commands being easier to compress. The examiner thought the video was being compressed, not the display commands. What are the display commands? Furthermore, for the purpose of examination, the examiner is interpreting the display commands to be display commands for generating video data.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2613

5. Claims 94-99 are rejected under 35 U.S.C. 102(e) as being anticipated by Noro et al. (6646677), (hereinafter referred to as "Noro").

Regarding claims 94-95, Noro discloses Noro discloses an apparatus that relates to image sensing control for controlling and image sensing device (Noro: column 1, lines 10-12). This apparatus comprises "generating a plurality of display commands" (Noro: figure 14, column 11, lines 40-50, column 15, lines 45-55, wherein the display commands is the start clockwise rotation command), "modifying at least one of the display commands in such a way that the modified display command will be easier to compress than the display command prior to being modified" (Noro: column 15, lines 45-55, wherein the modified display command is the stop rotation command. The examiner notes that the stop rotation command would allow the video to be more easily compressed since the motion of the camera is no longer present) and "generating a compressed video stream" (Noro: figures 14 and 30, column 15, lines 60-65, wherein the compressed stream is formed by the compression unit).

Regarding claims 96-97, Noro discloses "modifying the commands to reduce bandwidth requirements or resource requirements" (Noro: column 15, lines 15-29, wherein reducing the bandwidth requirements or resource requirements is the compression and expansion processing).

Regarding claim 98, Noro discloses "one of the display commands represents an object and modifying changes the display command such that the

object is moved relative to its original display position" (Noro: figures 4, 6, and 16, wherein moving the object is changing the position of the camera).

Regarding claim 99, Noro discloses "the stream comprises blocks having boundaries wherein moving comprises moving the object to match at least one boundary" (Noro: figures 4, 6, and 16, column 15, lines 45-55, wherein the rotate 30° clockwise represents a boundary).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 100-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noro et al. (6646677), (hereinafter referred to as "Noro") in view of Bulman (5623587).

Regarding claims 100-101, note the examiners rejection for claim 94, and in addition, claims 100-101 differ from claim 94 in that claims 100-101 further require replacing an object with a different object. Bulman teaches that prior art superposition processing systems are time consuming and require complex calculations (Bulman: column 1, lines 44-48). To help alleviate this problem, Bulman discloses a superposition apparatus that "replaces one object with a different object" (Bulman: figures 12A-E, wherein one object is a person's head and the other object is an animals body). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take

Art Unit: 2613

the apparatus disclosed by Noro and add the superposition system taught by Bulman in order to obtain an apparatus that operates more efficiently by providing a system that is less time consuming with simple calculations.

8. Claims 102-111 and 128-133 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noro et al. (6646677), (hereinafter referred to as "Noro") in view of Bulman (5623587) in further view of Huang (6175663).

Regarding claim 102, note the examiners rejection for claims 100-101, and in addition, claim 102 differs from claims 100-101 in that claim 102 further requires the object to be a text object. Huang teaches that images can be automatically searched based on recognizing texts (Huang: figures 3-5, column 1, lines 45-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Noro, add the superposition system taught by Bulman, and add the text object taught by Huang in order to obtain an apparatus that operates more efficiently by being able to automatically search objects based on text.

Regarding claim 103, Bulman discloses "the object comprises a background of the display" (Bulman: figure 17, wherein the background is the person).

Regarding claim 104, Bulman discloses "analyzing the object to determine a closest suitable replacement" (Bulman: column 9, lines 38-45, wherein the analyzing is the interpolations between the images).

Regarding claim 105, Huang discloses "changing a font definition" (Huang: column 7, lines 1-6, wherein changing the font definition is superimposing the letter with different fonts, colors, and/or sizes).

Regarding claim 106, Bulman discloses "modifying at least one color of the object" (Bulman: column 6, lines 1-5).

Regarding claims 107-108, although not disclosed, it would have been obvious to reduce the spatial resolution and color resolution of the colors (Official Notice). Doing so would have been obvious in order to allow the user to adjust the space between color and black and white.

Regarding claim 109, Noro discloses "reducing a spatial resolution of the object" (Noro: figure 14, wherein reducing the spatial resolution is the process of compression).

Regarding claims 110-111, Noro discloses "one of the commands comprises a scrolling command and increasing a granularity of scrolling to multiples of block size" (Noro: column 15, lines 45-55, wherein increasing the granularity of scrolling is increasing the pan/tilt or rotation of the camera).

Regarding claim 128, Noro discloses "generating a display command" (Noro: figures 14 and 16, column 11, lines 40-50, column 15, lines 45-55, wherein the display commands are the simple control commands such as pan and tilt), "identifying changes in the display responsive to a user command" (Noro: column 15, lines 40-50, wherein the user commands are the rotation commands), "determining whether the changes warrant an update" (Noro:

column 15, lines 40-47, wherein the camera control user interface determines if the user has made a change and results in the subsequent processing if a change has been determined), and "upon determining the changes do warrant an update, the changes are inserted into the stream at a higher frame rate than other changes" (Noro: column 16, lines 10-50, wherein the insertion at the higher frame rate is the process of switching between a high resolution but low compression and low resolution but high compression).

Regarding claims 129-130, Noro discloses "the user command comprises a pointing device received via a GUI" (Noro: column 7, lines 45-47).

Regarding claim 131, Noro discloses "analyzing the user command to determine display commands" (Noro: figure 16, wherein the analyzing the user command is interpreting the control commands).

Regarding claims 132-133, Noro discloses "the compressed video stream is generated without first generating a display raster of display commands" (Noro: figures 14-15, wherein the compressed video stream is generated first).

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within



Art Unit: 2613

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJC

  
VULE  
PRIMARY EXAMINER